

# Arnold & Porter

Anne P. Davis  
+1 202.942.6197 Direct  
Anne.Davis@arnoldporter.com

File in: 24CV 7435 (JGK)  
24CV 7214 (JGK).

December 19, 2024

## **BY ECF**

The Honorable John G. Koeltl  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

Re: *In re: Visa Debit Card Antitrust Litigation*, 1:24-cv-07435-JGK  
Joint Request for Adjournment of January 6, 2025 Initial Conference

Dear Judge Koeltl:

On behalf of defendant Visa Inc. ("Visa") we respectfully submit this joint request by the parties for a short adjournment of the January 6, 2025 Initial Conference in the above-captioned action by a few weeks to afford the parties additional time to meet and confer and submit a Rule 26(f) report. This request would not impact the Conference in *United States v. Visa Inc.*, 1:24-cv-07214, also scheduled for January 6.

As your Honor is aware, to date four putative merchant class actions and two putative cardholder class actions have been consolidated in this Court, with a third putative consumer class action pending transfer from the Western District of Missouri. There remain two related, putative cardholder class actions pending in the Northern District of California: *Pantano v. Visa, Inc.*, Case No. 3:24-cv-07365 (N.D. Cal.) and *Bueno v. Visa Inc.*, 3:24-cv-8968 (N.D. Cal.). There is also a motion (filed by plaintiff Pantano) pending before the Judicial Panel on Multidistrict Litigation to centralize in the Northern District of California all private litigation concerning allegations that defendant unlawfully monopolized a purported market for debit network services. See MDL No. 3137, ECF No. 1. Earlier this week, plaintiffs in both of those California actions agreed to voluntarily transfer their cases to this Court and plaintiff Pantano has agreed to withdraw his motion before the JPML. Accordingly, Visa anticipates that all of the related private merchant and cardholder actions that are not currently pending in this District will be transferred here soon.

In the interest of efficiency, Visa proposed to both the merchant and consumer plaintiffs that the parties wait a few weeks for these venue issues to be fully resolved so that all parties may participate together in a single Rule 26(f) meet and confer. Visa also contacted the government in the related action (*United States v. Visa Inc.*, 1:24-cv-07214),

# Arnold & Porter

December 19, 2024

Page 2

to commence discussions on coordination among the government and private actions. Those discussions will also inform the issues to be addressed in the Rule 26(f) conference. Plaintiffs in the above-captioned actions agreed to a short adjournment of the Initial Conference by a few weeks in light of those issues, and consented to this application.

Pursuant to I.E. of Your Honor's Individual Practices, we confirm that there have been no prior requests for an adjournment of this conference.

Thank you for considering this request.

Respectfully Submitted,

/s/ *Anne P. Davis*

Copies to all counsel of record by ECF